



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

SEP 21 2015

OFFICE OF
CIVIL RIGHTS

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Certified Mail #: 7009 0640 0006 0305

In Reply Refer to:

EPA File No. 08R-13-R6

Mr. Pete Newkirk, Director
City of Baton Rouge
Department of Public Works
Post Office Box 1471
Baton Rouge, Louisiana 70821

Re: Rejection and Referral of Administrative Complaint

Dear Director Newkirk:

This letter is to notify you that the U.S. Environmental Protection Agency (EPA) Office of Civil Rights (OCR) received complaints on December 5, 2012, March 1, 2013, and April 8 and 9, 2013, alleging that the City of Baton Rouge has violated Title VI of the Civil Rights Act of 1964, as amended (Title VI), 42 United States Code (U.S.C.) §§ 2000d *et seq.*, and EPA's nondiscrimination regulations found at 40 Code of Federal Regulations (C.F.R.) Part 7. Pursuant to EPA's nondiscrimination regulations, OCR conducts a preliminary review of administrative complaints to determine whether to accept, reject, or refer a complaint. *See* 40 C.F.R. § 7.120(d)(1).

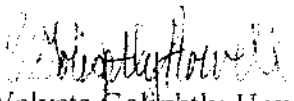
To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's nondiscrimination regulations. First, it must be in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, it must describe an alleged discriminatory act that, if true, may violate EPA's nondiscrimination regulations (*i.e.*, an alleged discriminatory act based on race, color, national origin, sex, age, or disability). *Id.* Third, it must be filed within 180 calendar days of the alleged discriminatory act. *See* 40 C.F.R. § 7.120(b)(2). Finally, it must be filed against an applicant for, or a recipient of, EPA financial assistance that allegedly committed the discriminatory act. *See* 40 C.F.R. § 7.15.

After careful review, OCR is rejecting the first allegation presented in the complaint for investigation because it does not describe a permitting or other action by the City, which may be considered a timely discriminatory act. In addition, the second claim appears to fall under the subject matter expertise of the U.S. Department of Housing and Urban Development (HUD). Therefore, OCR is referring this claim to HUD for its review and potential action, if appropriate. The contact person at HUD for

the referral of this allegation is: Mr. Garry Sweeney, FHEO Region VI, U.S. Department of Housing and Urban Development, 801 Cherry Street, Unit 45, Suite 2500, Fort Worth, Texas 78102 at (817) 978-5900.

If you have any questions about OCR's disposition of the subject complaint or this letter, please contact Ericka Farrell of my staff at (202) 564-0717, via e-mail at farrell.ericka@epa.gov, or via mail at U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460.

Sincerely,


Velveta Golightly-Howell
Director
Office of Civil Rights

cc: Elise Packard
Associate General Counsel
Civil Rights and Finance Law Office (MC 2399A)

Samuel Coleman
Deputy Regional Administrator
Region VI, (MC-6RA)